



2. The United States Treasury checks that JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, conspired to steal and receive were the product of false and fraudulent U.S. Individual Income Tax Returns, Forms 1040, filed with the Internal Revenue Service. Many of these tax returns were filed using stolen identities of persons whose Social Security numbers were assigned to people whose mailing addresses, at the time of application, were in Puerto Rico.

3. The New York State tax refund checks that JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, conspired to steal and receive were the product of false and fraudulent New York State Tax Returns, Forms IT-201 and IT-203, filed with the New York State Department of Taxation and Finance. Many of these tax returns were filed using stolen identities of persons whose Social Security numbers were assigned to people whose mailing addresses, at the time of application, were in Puerto Rico.

**STATUTORY ALLEGATIONS**

4. From at least in or about June 2009 through on or about December 18, 2009, in the Southern District of New York and elsewhere, JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1708.

5. It was a part and an object of the conspiracy that JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, unlawfully, willfully, and knowingly would and did steal, take, and abstract, and by fraud and deception obtain, and attempt so to obtain, from and out of the mail, a post office, and a station thereof, letter box, mail receptacle, and a mail route and other authorized depository for mail matter, and from a letter and mail carrier, a letter, postal card, package, bag, and mail, and abstract and remove from such letter, package, bag, and mail, an article and

thing contained therein, and secrete, embezzle, and destroy such letter, postal card, package, bag, and mail, and an article and a thing contained therein, and would and did buy, receive, and conceal, and have in their possession, a letter, postal card, package, bag, and mail, and an article and thing contained therein, which had been so stolen, taken, embezzled, and abstracted, knowing the same to have been stolen, taken, embezzled and abstracted, in violation of Title 18, United States Code, Section 1708.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about September 27, 2009, JUAN GARCIA, MANUEL LNU, and GREGORIO LNU, the defendants, went to the Building in an effort to obtain tax refund checks that would be delivered to the Building.

b. On or about October 6, 2009, MANUEL LNU and GREGORIO LNU traveled to the Building and retrieved six tax refund checks that were addressed to persons purportedly living in the Building.

c. On or about October 7, 2009, MERCEDES LNU traveled to the Building and retrieved three tax refund checks

that were addressed to persons purportedly living in the Building.

d. On or about October 20, 2009, RICHARD VLADIMIR BAEZ, the defendant, met with an undercover federal agent (the "UC") at the Building and the UC provided to BAEZ 17 tax refund checks that were addressed to persons purportedly living in the Building.

e. On or about October 23, 2009, the UC met with GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," the defendant, and provided JEREZ-VASQUEZ with two tax refund checks that were addressed to persons purportedly living in the Building.

f. On or about November 16, 2009, the UC met with JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," the defendant, and provided ALMANZAR with two tax refund checks that were addressed to persons purportedly living in the Building.

(Title 18, United States Code, Section 371.)

COUNT TWO  
(Theft and Receipt of Stolen Mail Matter)

The Grand Jury further charges:

7. From in or about September 2009, through on or about December 18, 2009, in the Southern District of New York and elsewhere, JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond,"

a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, unlawfully, willfully, and knowingly stole, took, and abstracted, and by fraud and deception obtained, and attempted so to obtain, from and out of the mail, a post office, and a station thereof, letter box, mail receptacle, and a mail route and other authorized depository for mail matter, and from a letter and mail carrier, a letter, postal card, package, bag, and mail, and abstracted and removed from such letter, package, bag, and mail, an article and thing contained therein, and secreted, embezzled, and destroyed such letter, postal card, package, bag, and mail, and an article and a thing contained therein, and bought, received, and concealed, and had in their possession, a letter, postal card, package, bag, and mail, and an article and thing contained therein, which had been so stolen, taken, embezzled, and abstracted, knowing the same to have been stolen, taken, embezzled and abstracted, to wit, GARCIA, ALMANZAR, MANUEL LNU, GREGORIO LNU, MERCEDES LNU, JEREZ-VASQUEZ, and BAEZ, attempted to and did steal and receive United States Treasury and New York State tax refund checks that were not addressed to them and that were taken from the mail stream.

(Title 18, United States Code, Sections 1708 and 2.)

COUNT THREE  
(Illegal Reentry)

The Grand Jury further charges:

8. From at least in or about October 2009, up to and including at least on or about March 29, 2010, in the Southern District of New York and elsewhere, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," the defendant, being an alien, after having been deported from the United States, on or about December 6, 2006, unlawfully did enter and was found in the United States, without having obtained the express consent of the Attorney General of the United States or his successor, the Secretary for the Department of Homeland Security, to reapply for admission, and did so subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction on or about November 3, 2005, in the Eastern District of New York for importation of heroin, in violation of Title 21, United States Code, Sections 952(a), 960(a)(1), and 960(b)(3).

(Title 8, United States Code, Sections 1326(a) & (b)(2).)

FORFEITURE ALLEGATIONS

9. As a result of committing the conspiracy to violate Title 18, United States Code, Section 1708, in violation of Title 18, United States Code, Section 371, alleged in Count One of this Indictment, JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO

LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," and RICHARD VLADIMIR BAEZ, the defendants, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offense.

10. As the result of committing the theft-of-mail offense in violation of Title 18, United States Code, Sections 1708 and 2, alleged in Count Two of this Indictment, JUAN GARCIA, JOSE ELIAS ALMANZAR, a/k/a "Raymond," a/k/a "Wilfredo Sanchez," a/k/a "Wifredo Sanchez," a/k/a "Hector Casado," a/k/a "Luis Maura," MANUEL LNU, GREGORIO LNU, MERCEDES LNU, GUILLERMO JEREZ-VASQUEZ, a/k/a "Guillermo Jerez-Vazquez," RICHARD VLADIMIR BAEZ, the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offense.

**SUBSTITUTE ASSET PROVISION**

11. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982, 1708, 371, and 2; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
Preet Bharara  
PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

JUAN GARCIA,  
JOSE ELIAS ALMANZAR,  
a/k/a "Raymond,"  
a/k/a "Wilfredo Sanchez,"  
a/k/a "Wifredo Sanchez,"  
a/k/a "Hector Casado,"  
a/k/a "Luis Maura,"  
MANUEL LNU,  
GREGORIO LNU,  
MERCEDES LNU,  
GUILLERMO JEREZ-VASQUEZ,  
a/k/a GUILLERMO JEREZ-VAZQUEZ,  
RICHARD VLADIMIR BAEZ

Defendants.

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INDICTMENT

10 Cr.

(18 U.S.C. §§ 371, 1708, and 2; and 8  
U.S.C. §§ 1326(a) and (b)(2))

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PREET BHARARA  
United States Attorney.

A TRUE BILL

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Foreperson.

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Pg 1/10  
4/1/10  
Indictment filed, arrest warrants issued.  
F. Maas, USM